

REMARKS

Applicants request favorable reconsideration and withdrawal of the rejections set forth in the above-noted Office Action in view of the foregoing amendments and following remarks.

Claims 1, 2, 4, 6, 7, and 9-21 are now pending, with claims 1 and 12 being independent claims. Claims 3, 5, and 8 have been cancelled without prejudice or disclaimer of subject matter. Claims 1, 4, 6, and 12 have been amended. Support for the amendments can be found throughout the originally-filed disclosure, including, for example, at paragraphs 0117 through 0128 of the specification. Accordingly, Applicants submit that the amendments do not include new matter.

Claims 1-21 are rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over Scroggie et al. (U.S. Patent No. 5,970,469) in view of Brizendine et al. (U.S. Patent No. 6,484,147).

Applicants respectfully traverse the rejection. Nevertheless, in order to expedite prosecution of the application, independent claims 1 and 12 have been amended to clarify certain features of the invention. To this end, Applicants submit that the claimed invention is patentably distinguishable from the cited references for at least the following reasons.

Amended independent claim 1 recites a method of facilitating earning loyalty points, wherein the loyalty points are associated with a geographic area. The method includes, inter alia, receiving purchase data in a transaction file that includes a retailer item identifier and geographical area information. The purchase data is used to determine an amount of loyalty points to add to a loyalty account. At the same time, standardized information is developed by associating the retailer item identifier, the geographical area information, and a manufacturer identifier, and data analysis is performed using the standardized information. Thus, the invention

of amended independent claim 1 provides a synergy between using purchase data to determine earned loyalty points, and a data analysis using the purchase data. Notably, the method greatly facilitates the data analysis through the standardization step. For example, given retailers often identify products by identifiers that differ from retailer to retailer, which complicates data analysis involving the products. See, e.g., paragraph 0123 of the specification. The standardization step, through its associating the retailer item identifier, the geographical area information (which are included in the purchase data also used to determine earned loyalty points) and a manufacturer identifier, greatly facilitates data analysis.

The Office Action cites Scroggie et al. as disclosing a method for facilitating earning of loyalty points, wherein the loyalty points are associated with a geographic area.

Applicants submit, however, that Scroggie et al. does not disclose or suggest the combination of features recited in amended independent claim 1. In particular, Scroggie et al. does not disclose or suggest the combination of receiving purchase data in a transaction file at a server associated with the computer from a point-of-sale terminal, the purchase data including a retailer item identifier and geographical area information, in conjunction with developing standardized information by associating the retailer item identifier, the geographical area information, and a manufacturer identifier and performing data analysis using the standardized information, as recited in amended independent claim 1.

Applicants further submit that the secondary citation to Brizendine et al. fails to cure the deficiencies in Scroggie et al. Brizendine et al. is cited in the Office Action as disclosing transferring, adding, and subtracting points between existing accounts. Brizendine et al. does not, however, disclose or suggest the receiving purchase data, developing standardized

information, and performing data analysis steps recited in amended independent claim 1, which, as discussed above, are also not found in Scroggie et al.

With respect to amended independent claim 12, this claim recites a method for facilitating the redeeming of loyalty points. Analogous to independent claim 1, this claim combines redeeming loyalty points having geographical area characteristics, in conjunction with data analysis. Accordingly, Applicants submit that amended independent claim 12 is distinguishable from Scroggie et al. and Brizendine et al. for at least the reasons discussed above with respect to amended independent claim 1.

Applicants further submit that the Official Notice taken in the Office Action does not account for the deficiencies of Scroggie et al. and Brizendine et al. Applicants read the Official Notice to be taken to the fact that it is known to have exchange rates and conversion rates such as between different types of currency. Such a fact, however, does not account for the features of the invention not found in Scroggie et al. and Brizendine et al. that are described above. Further, to the extent that the Official Notice is intended to be directed to more than the mere idea of have exchange and conversion rates for currency, Applicants respectfully traverse the Official Notice, and request further clarification and evidence in support of the Official Notice. See MPEP § 2144.03.

Thus, for at least the foregoing reasons, Applicants submit that the Section 103 rejection of independent claims 1 and 12 in view of Scroggie et al., Brizendine et al., and the Official Notice should be withdrawn.

The dependent claims also should be deemed allowable, in their own right, for defining other patentable features of the present invention in addition to those recited in the independent claims. Applicant requests further individual consideration of these dependent claims.

Applicants submit that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the Office Action, and a Notice of Allowability are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. Office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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